



GEORGIA M. PESTANA
Corporation Counsel

THE CITY OF NEW YORK
LAW DEPARTMENT
100 CHURCH STREET
NEW YORK, NY 10007

MATTHEW P. NEALON
Special Assistant Corporation Counsel
(212) 356-0874

December 17, 2021

VIA ECF

Hon. Kathleen Polk Failla
United States Courthouse
500 Pearl Street
New York, New York 10007

MEMO ENDORSED

Re: *A.K. v. N.Y.C. Dep't of Educ.*, 21-cv-04428 (KPF)(DCF)

Dear Judge Failla:

I am a Special Assistant Corporation Counsel in the office of Corporation Counsel, Georgia M. Pestana, attorney for Defendant in the above-referenced action wherein Plaintiff seeks solely attorneys' fees, costs and expenses for legal work on an administrative hearing under the Individuals with Disabilities Education Act, 20 U.S.C. 1400, et. seq., as well as for this action.

I write to respectfully request a continuation of the present stay of this action for an additional 90 days, from December 17, 2021 to March 17, 2022. Plaintiff consents to this request. As the Parties have informed the Court through multiple letter motions, in prior submissions (e.g., ECF 10 and 14) this case cannot be settled until Plaintiff provides her billing records, which she has agreed to do by December 23. Liability is not at issue in this matter, rather, only the reasonableness of the fees sought.

Assuming that the billing records are provided by December 23, Defendant believes that the parties will fully resolve this matter within the specified period, without further burdening the Court. Therefore, Defendant respectfully requests that the present stay of this action be continued for an additional 90 days.

Thank you for considering this request.

Respectfully submitted,

Matthew P. Nealon

/s/

Special Assistant Corporation Counsel

cc: Irina Roller (via ECF)

Application GRANTED. The present stay of this action is hereby extended to March 17, 2022. The Clerk of Court is directed to terminate the pending motion at docket number 16.

Dated: December 17, 2021
New York, New York

SO ORDERED.

A handwritten signature in blue ink, reading "Katherine Polk Failla". The signature is written in a cursive, flowing style.

HON. KATHERINE POLK FAILLA
UNITED STATES DISTRICT JUDGE